

CITY OF ALAMO HEIGHTS
CITY COUNCIL
June 14, 2010

A regular meeting of the City Council of the City of Alamo Heights, Texas was held at the Council Chambers, 6120 Broadway, at 5:30 p.m. on Monday, June 14, 2010.

Present and composing a quorum were:

Mayor Louis Cooper
Mayor Pro-Tempore Stan McCormick
Councilmember Bobby Rosenthal
Councilmember Fred Prassel
Councilmember Elliot Weser
Councilmember John Savage

Also attending were:

City Manager Ann Benson McGlone
Assistant City Manager/Public Works Director Shawn P. Eddy
City Attorney Mike Brenan
Communications/IT Manager Marian Ramirez
Finance Director Cynthia Barr
Community Development Director Brian Chandler
Human Resource Manager/Deputy City Secretary Judith E. Surratt
City Secretary Jennifer Reyna
Police Chief Rick Pruitt

Absent was:

Fire Chief Bill Hagendorf

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Mayor Louis Cooper called the meeting to order at 5:30 p.m.

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Item # 1 **Recognition of City Employees for their exemplary teamwork efforts on June 2, 2010**

City Manager Ann McGlone recognized City employees for their exemplary teamwork efforts on June 2, 2010 during and after the storm. City employees that were recognized included employees from the Fire, Police and Public Works Departments.

Mayor Cooper thanked the City employees on behalf of City Council for always going beyond their duties as they worked as a team.

Mayor Pro Tem McCormick stated he received numerous compliments on the employees' performance and the positive feedback makes everyone proud.

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Mayor Cooper asked City Council for any corrections to the minutes of the May 19, 2010, City Council Orientation. A motion was made by Councilmember Elliot Weser to approve the minutes of May 19, 2010. The motion was seconded by Councilmember Fred Prassel and passed by unanimous vote.

Mayor Cooper asked City Council for any corrections to the minutes of the May 24, 2010, Strategic Action Plan Work Session. A motion was made by Councilmember Stan McCormick to approve the minutes of May 24, 2010. The motion was seconded by Councilmember Bobby Rosenthal and passed by unanimous vote.

Mayor Cooper asked City Council for any corrections to the minutes of the May 24, 2010, City Council Meeting. A motion was made by Councilmember Bobby Rosenthal to approve the minutes of May 24, 2010 as amended. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

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Item # 3 City Manager's Report

a. July 4th Parade

City Manager Ann McGlone invited citizens to attend the upcoming city-sponsored 4th of July Parade that is also sponsored by the Community Association of Alamo Heights and the Hammonds. The parade will begin at 10:00 a.m. until Noon on Saturday, July 3rd.

b. Movie Nights in the Heights

Ms. McGlone provided an update of last month's event. She invited the residents to see "Raiders of the Lost Ark" on Friday, June 25th. She stated Mayor Pro Tem McCormick and his wife Bobbie were in attendance. Mayor Pro Tem McCormick invited the community to attend as he enjoyed the event.

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Mayor Cooper provided an update to Councilmember Prassel's request regarding consideration of the Initiative and Referendum in the city's charter. Mayor Cooper stated the Governance and Communication Committee met on June 7th and invited Councilmember Prassel to attend a future meeting to provide input.

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Citizens To Be Heard Concerning Non-Agenda Items

May O'Neal, 434 Abiso Avenue, complimented the staff for cleaning the tree limbs off the streets and appreciated the email blasts as notifications of street closures and weather conditions.

Margaret Spencer, 140 Patterson Avenue, stated she made a request to Mr. Eddy about spraying the neighborhood against mosquitoes and asked City staff to reconsider and spray at least on Patterson Street, near the condominiums.

Donald Starkweather, 225 Albany Street, distributed a packet for Council that included photos of the alley on 120 Redwood. Mr. Starkweather inquired if the applicant received permission for placing a “v” indentation that contributes to water drainage that leads into his property. He also provided a copy to Council of the letter he wrote on January 10th, 2010. Mr. Starkweather stated he never received notifications regarding the improvements at 120 Redwood.

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Consent Items

Mayor Cooper read the following captions.

RESOLUTION NO. 2010R - 013

- Item # 5* **A Resolution authorizing the City Manager to enter into an agreement with the Alamo Heights Kennel Club as the City’s veterinary hospital/quarantine facility for impounded animals**
- Item # 6* **Consideration of a request by San Antonio Roadrunners Association to hold its 31st Annual Women’s 5K Walk/Run on July 17, 2010, from 6:00 a.m. until Noon**
- Item # 7* **Consideration of a request by Fleet Feet Sports to hold its 14th Annual Sunrise 10K Road Race on August 21, 2010, from 7:30 a.m. until 10:00 a.m.**
- Item # 8* **Consideration of a request by Soler’s Sports to hold its Dam ’09 Triathlon on August 28, 2010, from 6:00 a.m. until 11:00 a.m.**
- Item # 9* **Consideration of a request by SNIPSA Inc. to hold its 3rd Annual 5K Walk/Run on September 25, 2010, from 7:00 a.m. until 11:00 a.m.**
- Item # 10* **A Resolution granting certain City Officials signatory authority for City accounts**

Item Numbers 5, 7, 8, 10 were pulled by the Council.

A motion for approval was made by Councilmember Bobby Rosenthal for Consent Item Nos. 6 and 9. The motion was seconded by Councilmember John Savage and passed by unanimous vote.

Councilmember Rosenthal pulled Item # 5 regarding the drawback for impounded animals outside of regular business hours. Chief Pruitt stated there is Kennel Club Staff

available 24 hours a day, 7 days a week; however, the owners of the impounded animals may pick up only during regular business hours.

A motion for approval was made by Councilmember Bobby Rosenthal for Consent Item No. 5. The motion was seconded by Councilmember Weser and passed by unanimous vote.

Councilmember Prassel requested to pull Item Nos. 7 and 8 and expressed concern on the lack of certificate of insurance for the special events. He stated a certificate of liability has been provided but the certificate of liability is not enough protection for the City.

Councilmember Savage commented if there should be a requirement for a liability release provided by the City for each individual participant for special events.

Community Development Director Brian Chandler responded to Councilmember Prassel that prior to granting a special events permit, a proof of insurance must be provided prior to the permit issuance. Mr. Chandler addressed Councilmember Savage's concern by explaining that the City requires liability of release from each organization. The Councilmembers may wish to consider a requirement from all participants releasing liability from the City. City Attorney Mike Brennan stated a liability release statement has been prepared for participants to sign for city sponsored events but not for private events but liability release requirement for private special events may be considered. Councilmember Rosenthal stated the City should consider an ordinance to release the City from liability and not only the organization.

A motion for approval was made by Councilmember Prassel for Consent Item Nos. 7 and 8 subject to applicants providing certificates of liability insurance. The motion was seconded by Councilmember Weser and passed by unanimous vote.

Councilmember Weser requested to pull Item No. 10.

Councilmember Weser questioned what the dollar amount was that requires two authorized signers. He suggested a Councilmember be one of the authorized signers. Councilmember Weser suggested Councilmember Rosenthal be considered as an authorized Councilmember.

Councilmember Savage expressed concern about the requirements for additional signatures depending on the amount and/or vendor/subject of a check. He also asked about the process for verification and expressed his concerns that our process avoid the problem encountered by the City of Windcrest.

Finance Director Cynthia Barr stated that the current system of checks and balances that Alamo Heights has in place has been approved by our auditors, is typical, and provides adequate protection to the City resources. She added that a purchase over \$1,000 requires a purchase order.

Ms. Barr stated that if a Councilmember was required to sign checks it might impede the process of prompt payment and penalties would accrue. Many of large payments such as to IRS or SAWS accrue steep penalties.

Mayor Cooper suggested staff look into Positive Pay and stated nothing gets paid until a file is received; something to consider as a safeguard practices.

Madelon Highsmith, 323 Cloverleaf Avenue, stated in her business experience with Fortune 500 companies, a purchase over \$25,000 is presented to a Committee for approval.

Ms. Barr suggested that she will print checks that are over \$50,000 which include utility bills so checks may be viewed to determine a monetary limit.

Mayor Cooper suggested the Accountability and Management Committee meet to discuss and present options to City Council.

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Items for Individual Consideration

Item # 11 Mayor Cooper read the following caption.

RESOLUTION NO. 2010R - 014

Adoption of the FY 2010 – 2011 Strategic Action Plan

She provided a brief background of the Strategic Action Plan Work Session that was held on May 24, 2010. She stated that in September, the summary of FY 2010 accomplishments will be presented.

Ms. McGlone briefly presented the Mission, Vision, and Core Values.

She presented the assigned committee members for each respective Council committee and summarized the goals for each respective committee.

- Governance and Communications – Mayor Louis Cooper and Councilmember Bobby Rosenthal
- Infrastructure and Services – Councilmembers Fred Prassel and Elliot Weser
- Neighborhood Character and Commercial Revitalization – Mayor Pro Tem Stan McCormick and Councilmember Elliot Weser
- Accountability and Management – Councilmembers Bobby Rosenthal and John Savage

City Manager McGlone reminded Council that the strategic action plan is a guideline that is used to establish the budget. Mayor Cooper stated all ideas need to be discussed thoroughly with the exception of implementing to paint house numbers on curbs. Mayor Pro Tem McCormick added that this is a necessity for emergency management to easily identify households.

Councilmember Weser stated that exploring options for facility deficiencies, specifically was to address amenities of a common room and shower for the Fire Department. Mayor Pro Tem McCormick added that IT equipment is not stored appropriately and not protected as it should be. Councilmember Rosenthal said that exploring ideas includes considering all options for the City of Alamo Heights.

Councilmember Weser asked about the School Resources Officer and if other entities might participate as students of Terrell Hills and Olmos Park also attend the Alamo Heights Independent School District (AHISD). Chief Pruitt stated his intention is to work closely with the school district and noted that this is a grant opportunity. AHISD is the only school district that does not have a dedicated school resources officer.

Councilmember Prassel expressed concern on an ordinance adopted in 2008 authorizes the City Manager authority to set salaries. He believes that has decreased the Council to make decisions.

Mayor Pro Tem McCormick responded that the Council has an opportunity to provide input on salaries during the budget process. City Manager McGlone responded that the Council approves the budget, which includes salaries and the number of employees and its her job to work within those boundaries. Mayor Cooper added that there are public budget hearings prior to Council approval.

Bill Kiel, 124 Corona Avenue, stated salaries were reviewed annually by the Accountability and Management Committee and benchmarking was done with Texas Municipal League (TML) Survey as well as other local surveys. Mr. Kiel asked if there has been any discussion meeting the American with Disabilities Act (ADA) requirements to address facility deficiencies.

Mayor Cooper replied to Mr. Kiel that ADA requirements will be considered and with the current situation certain aspects will be grandfathered. However a certain amount will trigger ADA requirement. Mr. Kiel stated he is unsure if the newly purchased home will be grandfathered for meeting ADA requirements.

Peter DeWitt, 136 Harrison, stated all work and improvements have to be ADA compliant, however, if you meet or exceed \$50,000 of work, a submission to the State is required. If the work is lower than \$50,000 no submission to the State is required.

Ms. McGlone stated that the City strives to meet ADA requirements and it is the City's goal to make everything accessible for all of our citizens.

Marcela Rose, 119 Grandview Place, inquired about the subscription program.

Ms. McGlone stated the subscription program is an enrollment program where residents can pay an annual fee to the Fire Department to ensure that costs not covered by a private insurance or Medicare, for EMS transportation will be covered.

Councilmember Weser stated there are subscription programs for airlift transportation services and the proposed subscription service is for ground level service only. Councilmember Savage added there is a database to access information on prices.

A motion for approval was made by Councilmember McCormick. The motion was seconded by Councilmember Prassel and passed by unanimous vote.

Item # 12 Mayor Cooper read the following caption.

**AN ORDINANCE TO GRANT A LICENSE TO ENCROACH
ON THE CITY RIGHT-OF-WAY AT 300 REDWOOD
STREET ALONG THE SOUTH PROPERTY LINE FOR A
PERIOD OF 5 YEARS SUBMITTED BY FRANK B.
PETERSON, OWNER, FOR THE PURPOSE OF
CONSTRUCTING A NEW ACCESSORY STRUCTURE TO
COVER AN AREA OF 37.99 SQ. FT. ALONG KOKOMO
STREET ON A PROPERTY ZONED SINGLE FAMILY - A**

Community Development Director Brian Chandler made a PowerPoint presentation which included background information, proposed plan details and notification process.

Mr. Chandler stated a variance was granted on May 6, 2009 for the side setback for the garage.

Two electronic communications were received. One was in opposition of the encroachment and the other received email response wanted additional information about the process for a license to encroach. Mr. Chandler stated the responses received were outside of the notification process and received through the email blasts that are generated through Connect-Cty.

Councilmember Weser emphasized that the city at the time of the license renewal will have the ability to reconsider whether to renew the license or retain its land and not grant a reauthorization.

Councilmember Rosenthal stated the request is a license, not a lease. Mayor Pro Tem McCormick asked whether is transferrable upon request. City Attorney Mike Brennan stated the license is not assignable.

A motion for approval was made by Councilmember Prassel. The motion was seconded by Councilmember Savage and passed by unanimous vote.

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Staff Reports

Item # 13 Mayor Cooper read the following caption.

Briefing on granting a license to the Alamo Heights Optimist Club to use a portion of Viesca Street and the parking areas associated with the Alamo Heights Swimming Pool for the celebration to be known as "O'Nine@Nite"

Assistant City Manager/Public Works Director Shawn P. Eddy made a PowerPoint presentation that included background information.

On January 26, 2010, the Alamo Heights Rotary Club notified the City that due to its continued success and growth, the Heights Night event would be relocated to a new venue on the Incarnate Word University Campus. Mr. Eddy stated the Optimist Club has agreed to the same terms previously to the Rotary Club with the exception of approval for only a single event.

Mr. Eddy presented issues to consider for an upcoming Fiesta 2011 event sponsored by the Alamo Heights Optimist Club and sought direction from City Council.

Kevin Kiser and Marty Valadez with Alamo Heights Optimist Club were present.

Rick Heydenreich, 327 Ridgemont, Manager of Alamo Heights Night for the Alamo Heights Rotary Club, stated there will be confusion if the Optimist Club's event is on the same night as the Rotary Club's event at the old venue. He asked Council to allow the Alamo Heights Optimist Club to consider another night for their proposed event.

Bill Denham, 702 Ogden, stated this year there were parking difficulties and miscellaneous parties within the neighborhood. Mr. Denham supports the Alamo Heights Optimist Club in sponsoring the event as the community appreciated having a Fiesta event at the Alamo Heights swimming pool. He stated if the Alamo Heights Rotary Club event returns to Alamo Heights it would not be the same and he stated that he heard the Rotary's event's security was bad.

Mayor Cooper asked Council to consider if the event should be at the same location (swimming pool), and the same night as the Rotary's Alamo Heights Night event and requested that the representatives of the Alamo Heights Optimist Club present more details regarding their request.

Kevin Kiser stated the Optimist Club would like to have the opportunity to host the event. The proceeds go to charitable organizations and the amount of money raised is made available to the public. He stated its best to have the event on the first Friday of the Fiesta time period in order not to subject the residences to a two-night event within the community. He suggested that their event would be more kid friendly and community oriented. Mr. Kiser stated if the event is on another day, then the Optimist Club will be competing with all other Fiesta events. Coordinating the event on the same Friday as the Rotary Club is ideal as it has been done in the past.

Councilmember Prassel urged the Optimist Club to consider another night than the Friday and Councilmember Savage agreed. Councilmember Savage stated the Optimist Club would be building their event on the past goodwill of the Rotary Club.

Councilmember Weser commended both the Rotary Club and Optimist Club for their efforts in the community and affirmed his support for both events. He agreed that the Optimist Club should consider another night to avoid competing with the Rotary Club's event.

Mr. Eddy stated that if the Fiesta event hosted by the Optimist Club is held on the Saturday following the event, the area could be roped off on Friday to avoid confusion and mitigate parking related to the Alamo Heights Night event at the pool area.

Councilmember Rosenthal stated that parking may or may have not been coordinated with the City for the Rotary Club event. Councilmember Rosenthal asked Mr. Heydenreich if there would be issues if the parking site would be closed down for the preparation of a Saturday event for the Optimist Club. Mr. Heydenreich stated advertisement was not done for the parking in Alamo Heights and only an estimated 80 people utilized the shuttle service. Mr. Heydenreich replied there would be no issues in blocking off the parking Friday night. He stated that the two groups should not compete for the same charitable dollars.

Mayor Pro Tem McCormick asked the Council to consider if the number of participants for the new event should be limited.

Mayor Cooper encouraged the Optimist Club to meet with Assistant City Manager/Public Works Director Shawn Eddy and provide reports to the Governance and Communication Committee and the City Council. Mayor Cooper asked the Optimist Club representatives about the timeframes for hosting the event. Mr. Kiser requested that City Council make a decision by the end of August whether or not to proceed with the event.

Mayor Cooper thanked Mr. Kiser and Mr. Valadez for everything the Optimist Club has done and thanked Mr. Heydenreich for the efforts of the Rotary Club.

Item # 14 Mayor Cooper read the following caption.

Water and Sewer System Update

Assistant City Manager/Public Works Director Shawn P. Eddy presented a PowerPoint presentation that included comparison water and sewer rates of Alamo Heights and the San Antonio Water System (SAWS).

Mr. Eddy reviewed the Alamo Heights water and sewer system statistics compared to SAWS water and sewer system statistics. He referenced a bar graph that displayed the permanent water rights per person. Mr. Eddy informed City Council of the proposed increased water and sewer rates to be effective on October 2010 for San Antonio Water System (SAWS) customers.

A bar graph was presented on residential water and sewer rates based at the cost of 5,000 gallons; the information was provided by the Texas Municipal League (TML). Mr. Eddy stated that a wastewater study conducted by Water Resources Management, LP in 2009 determined that no additional increases in water rates are necessary until at least

2012; however, the volumetric sewer rate (per 100 cubic feet over 500) was recommended to increase to \$2.29 in 2011 and \$2.40 in 2012. The City of Alamo Heights has one of the lowest water and sewer rates in the State.

Councilmember Rosenthal asked if there were any water leases. Mr. Eddy responded there are leases that will expire in 2012. He stated the city has abundant water rights.

Mayor Pro Tem McCormick asked about water leaks. Mr. Eddy stated that with the implementation of the water leak detection system, currently the unaccounted water loss percentage has decreased from 35% – 40% to 8% in 2010.

Bill Kiel, 124 Corona Avenue, asked if there is an estimate on what the community saves on water vs. SAWS water. Mr. Eddy stated that the community pays approximately ½ of the costs paid by SAWS customer. Mr. Kiel commented that the current water system saves the community about \$1 million dollars per year.

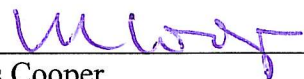
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There being no further business, a motion was made by Councilmember Prassel to adjourn the meeting. The motion was seconded by Councilmember McCormick and passed by unanimous vote. Mayor Cooper adjourned the meeting at 7:42 p.m.


Jennifer Reyna, TRMC
City Secretary



Louis Cooper
Mayor